

**INFORMATION SHEET**  
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING**  
**FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY**  
**CORPS OF ENGINEERS**

**DISTRICT OFFICE:** St. Paul

**FILE NUMBER:** 05-1301-TJF

**REGULATORY PROJECT MANAGER:** Tim Fell

**Date:**

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office (Y/N) 10 March 2005

**Date:**

At the project site (Y/N)

**Date:**

**PROJECT LOCATION INFORMATION:**

State: Minnesota

County: Anoka

Center coordinates of site by latitude & longitude coordinates: Lat/Long NWNE 29, T34N, R23W

Approximate size of site/property (including uplands) in acres 10 acre

Name or waterway of watershed: Cedar Creek

Type of Aquatic Resource <sup>1</sup> :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary Or Approved X

**ADDITIONAL INFORMATION SUPPORTING NJD** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): The site contains vacant upland consisting of grassland with a depressionnal Type 2 wet meadow about 1 acre in size. A culvert under 245<sup>th</sup> Avenue, which forms the north property border, leads to another depressionnal wetland. There does not appear to be any other surface water tributary system that carries water beyond these basins. The topography indicates a relatively flat area between Cedar Creek, about 1 mile to the east and Minard Lake, about 1 mile to the west. There is no indication that this grassy wetland would have use in any interstate commercial operation.